

Representative Keven J. Stratton proposes the following substitute bill:

UTAH LAKE AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Keven J. Stratton

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill modifies provisions of the Utah Lake Restoration Act.

Highlighted Provisions:

This bill:

- ▶ modifies the authority given to the Division of Forestry, Fire, and State Lands, with respect to the disposal of Utah Lake land in exchange for the comprehensive restoration of Utah Lake under a restoration proposal, from authority to dispose of land to authority to make a recommendation for the disposal of the land; and
- ▶ requires the approval of the Legislature and governor for the disposal of Utah Lake land in exchange for the comprehensive restoration of Utah Lake under a restoration proposal.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

65A-15-201, as enacted by Laws of Utah 2018, Chapter 381



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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **65A-15-201** is amended to read:

65A-15-201. Division authority to dispose of sovereign land in exchange for Utah Lake restoration project -- Criteria.

(1) ~~(a)~~ ~~[Subject to the approval of the Legislative Management Committee, the]~~ The division may ~~[dispose]~~ recommend the disposal of appropriately available state land in and around Utah Lake as compensation for the comprehensive restoration of Utah Lake under a restoration proposal if the division finds that the restoration project will:

~~[(a)]~~ (i) restore the clarity and quality of the water in Utah Lake;

~~[(b)]~~ (ii) conserve water resources in and around Utah Lake;

~~[(c)]~~ (iii) preserve the water storage and water supply functions of Utah Lake;

~~[(d)]~~ (iv) remove invasive plant and animal species, including phragmites and carp, from Utah Lake;

~~[(e)]~~ (v) restore littoral zone and other plant communities in and around Utah Lake;

~~[(f)]~~ (vi) restore and conserve native fish and other aquatic species in Utah Lake, including Bonneville cutthroat trout and June Sucker;

~~[(g)]~~ (vii) increase the suitability of Utah Lake and its surrounding areas for shore birds, waterfowl, and other avian species;

~~[(h)]~~ (viii) improve navigability of Utah Lake;

~~[(i)]~~ (ix) maximize, enhance, and ensure recreational access and opportunities on Utah Lake;

~~[(j)]~~ (x) preserve current water rights related to water associated with Utah Lake; ~~[and]~~

~~[(k)]~~ (xi) otherwise improve the use of Utah Lake for residents and visitors~~[-];~~ and

(xii) substantially accommodate an existing use on land in or around Utah Lake.

(b) If the division chooses to make a recommendation under Subsection (1)(a), the division shall make the recommendation in writing to the Legislature and governor.

(2) In determining whether to ~~[dispose]~~ recommend the disposal of state land in exchange for the execution of a restoration project, as provided in Subsection (1)(a) and pursuant to a restoration proposal, the division shall consider:

(a) the potential that the restoration project presents for additional revenue to state and

57 local government entities;

58 (b) the ability of the proposed use of the state land given in exchange for the restoration
59 project to enhance state property adjacent to Utah Lake;

60 (c) the proposed timetable for completion of the restoration project;

61 (d) the ability of the person who submits a restoration project to execute and complete
62 the restoration project satisfactorily; and

63 (e) the desirability of the proposed use of Utah Lake and the surrounding areas as a
64 result of the restoration project.

65 (3) The Legislature and governor may, through the adoption of a concurrent resolution,
66 authorize the disposal of state land in and around Utah Lake as compensation for the
67 comprehensive restoration of Utah Lake under a restoration proposal if:

68 (a) the division recommends the disposal as provided in Subsection (1); and

69 (b) the Legislature and governor make a determination, in a concurrent resolution
70 adopted under this Subsection (3), that:

71 (i) the restoration project will accomplish the objectives listed in Subsection (1)(a); and

72 (ii) the disposal is:

73 (A) a fiscally sound and fair method of providing for the comprehensive restoration of
74 Utah Lake; and

75 (B) constitutionally sound and legal.